



DEFENSE LOGISTICS AGENCY
THE DEFENSE CONTRACT MANAGEMENT COMMAND
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IN REPLY
REFER TO

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OCT 6 1997

MEMORANDUM FOR COMMANDERS, DEFENSE CONTRACT MANAGEMENT
DISTRICTS

COMMANDER, DCMC HAMILTON STANDARD
COMMANDER, DCMC HUGHES TUCSON
COMMANDER, DCMC LOCKHEED MARTIN DELAWARE
VALLEY
COMMANDER, DCMC SAN FRANCISCO

SUBJECT: Single Process Initiative (SPI) Proposals to Replace Subcontractor Debarment
Written Certification with "Self-Certifications"

This memorandum provides the status of regulatory and statutory proposals that will impact SPI proposals to replace subcontractor debarment written certification with "self-certification." The regulatory requirement is Federal Acquisition Regulation (FAR) clause 52.209-6, Protecting the Government's Interest when Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment.

According to the SPI database, there are four proposals requesting changes to this requirement (Attachment 1); three of these have been forwarded to HQ DCMC for review. As a result of that review, it was determined that no change or deviation to law or to the FAR is required. There is no specific subcontractor certification requirement in the clause at FAR 52.209-6. The subcontractor is only required to disclose in writing whether it is debarred, suspended, or proposed for debarment. Submission of a written offer which indicates compliance with this requirement ("self-certification") is sufficient.

Since there is no FAR requirement to submit a written certification, there is no need to issue a block change to modify the requirement. The local Management Councils should take whatever action they deem necessary to implement their improved process.

Thank you for your efforts in submitting these proposals. Questions may be referred to Mr. Ron O'Daniell, SPI Team, at (703) 767-3365, or ron_odaniell@hq.dla.mil.


JILL E. PETTIBONE
Executive Director
Contract Management Policy

Attachment

SPI Processes - Representations and Certifications - Subcontractor Debarment

Lockheed Martin Government Electronic Systems, Moorestown, NJ, submitted May 30, 1996

Military Requirement: FAR 52.209-6(a)

Proposed Process: To replace written debarment with “self-certification”

Lockheed Martin Western Development Labs, San Jose, CA, submitted June 19, 1997

Military Requirement: FAR 52.209-6(b), Subcontractor self-certification of debarment

Proposed Process: Modify contract language to eliminate FAR 52.209-6(b), Subcontractor self-certification of debarment

Hamilton Standard Division of UTC, Windsor Locks, CT, submitted September 20, 1996

Military Requirements: FAR 52.223-1 and 23.105(a) [Clean Air and Water]; FAR 52.203-12 and 3.808 [Byrd Certification]; FAR 52.209-6(b) [Contractors Debarred, Suspended,...], FAR 22.810 [Equal Employment Opportunity] and FAR 52.222-26, 52.222-21, 52.222-25 [Non-Segregated Facilities]; FAR Part 30/(48 CFR 99)/Public Law 100-679 [Cost Accounting Standards]

Proposed Process: Eliminate requirement/clause for written certification per FAR 52.223-1; eliminate requirement/clause for written certification per 52.203-11 and modify portions of FAR Part 3 to delete certification requirement; eliminate requirement/clause for written certification per 52.209-6; applicable sections of FAR Part 22 will require modification to eliminate the requirements for written certification dealing with the policies regarding contractor labor relations pertaining to the acquisition process; in FAR 30.101, delete “and to disclose in writing” and modify other sections of Part 30 to eliminate requirements for written certifications per FAR 52.230-1.

Hughes Missile Systems Company, Tucson, AZ, submitted June 21, 1996

Military Requirements: FAR 52.223-1, 52.203-11, 52.203-8, 52.209-6, 52-223-13

Proposed Process: Eliminate requirements to collect and process subcontractor certificates